

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ROBERT LUCAS WOODWARD,

Petitioner,

v.

SCOTT SPEER,

Respondent.

CASE NO. C25-5115 BHS

ORDER

THIS MATTER is before the Court on Magistrate Judge Michelle Peterson's Report and Recommendation (R&R), Dkt. 6, recommending the Court deny pro se petitioner Woodward's § 2254 habeas petition for lack of jurisdiction, dismiss the case, and decline to issue a certificate of appealability. This is Woodward's *sixth* such petition arising out of his 2014 Mason County conviction and sentence for molestation and rape of a child.

The R&R concludes that the Court has no jurisdiction over a second or successive habeas petition; the proper course is to seek permission for such a filing from the Ninth Circuit. Dkt. 6 at 2–3 (citing 28 U.S.C. § 2244(b)(3)(A)).

1 Woodward has objected to the R&R, but he has not addressed the conclusion that  
2 the Court does not have jurisdiction over his sixth habeas petition. His objections are  
3 **OVERRULED**, the R&R is **ADOPTED**, Woodward's habeas petition is **DENIED**, and  
4 the case is **DISMISSED without prejudice**. For the reasons described in the R&R, the  
5 Court will **NOT** issue a § 2253(c) certificate of appealability. Woodward has not made a  
6 substantial showing of the denial of a constitutional right.

7 The Clerk shall enter a **JUDGMENT** and close the case.

8 **IT IS SO ORDERED.**

9 Dated this 31st day of March, 2025.

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12 BENJAMIN H. SETTLE  
13 United States District Judge  
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